



INFORMATION SHEET

NOVEMBER 8, 2018

2017/2018 COMPREHENSIVE PLAN AMENDMENT DOCKET ITEM 11: NISQUALLY SUB-AREA PLAN ASPHALT RECYCLING POLICY (POLICY E.5)

Overview

Thurston County is beginning the process of reviewing and considering a request to amend the Nisqually Sub-Area Plan policy on asphalt recycling (Policy E.5) to remove the policy language that currently prohibits this activity from being conducted inside the mined out portion of a gravel mine (only applies to mines located within the Nisqually sub-area). This review was included on the Board of County Commissioners approved list (docket item 11) of Comprehensive Plan Amendment proposals to be reviewed and considered for 2017.

What is the policy amendment (policy change) proposal being considered under Docket item 11 and who submitted the proposal?

The proposal is to amend the Nisqually Sub-Area Plan Policy E.5 to remove the existing policy language that prohibits asphalt reprocessing (recycling) within the Nisqually Sub-Area. This policy amendment proposal was submitted by Lakeside Industries, Inc.

What is the Nisqually Sub-Area Plan and Policy E.5 and how can I view/access it?

The Nisqually Sub-Area Plan is a land-use planning document that was developed by the Nisqually Sub-Area community, with the assistance of Thurston County Long Range Planning staff, and adopted in 1992. The Nisqually Sub-Area Plan is a part of the County's broader Comprehensive Plan (land-use policy document) and expands on it to establish goals, policies and a land-use vision specifically tailored to the Nisqually area. Policy E.5 is a single policy (paragraph) within the Nisqually Sub-Area Plan section on commercial development that addresses the accessory activities that may be considered (potentially allowed) inside the mined out portion of a gravel pit(s). The current language prohibits asphalt recycling within the mined out portion of a gravel pit, see the full text below.

Policy E.5

"Allow accessory activities to be considered inside the mined out portion of a gravel pit through the site plan review process. Examples of allowable accessory uses would include concrete pipe and/or septic tank construction and the recycling of used concrete. The reprocessing of imported mineral resources shall not be the primary accessory use and the reprocessing of asphalt shall not be allowed due to water quality concerns. These activities shall be discontinued once reclamation of the pit is completed in accordance with WDNR standards." (pp. 21, Nisqually Sub-Area Plan)

The entire Nisqually Sub-Area Plan document is available online as a downloadable PDF on the County's Long Range Planning website (link provided below).

<https://www.thurstoncountywa.gov/planning/planningdocuments/nisqually-sub-area-plan-1992.pdf>

Is the whole Nisqually Sub-Area Plan being updated under this project? If not then when is it being updated?

This project's scope is limited to reviewing the proposed amendment to the Nisqually Sub-Area Plan asphalt reprocessing (recycling) policy language (Policy E.5) that would remove the current prohibition on asphalt recycling within the Nisqually sub-area. The Board of County Commissioners has approved a separate process to update the Nisqually Sub-Area Plan that is slated to start at the end of 2017/beginning 2018. That project will include extensive community involvement.

2017/2018 COMPREHENSIVE PLAN AMENDMENT DOCKET ITEM 11: NISQUALLY SUB-AREA PLAN ASPHALT RECYCLING POLICY (POLICY E.5)

What are the boundaries for the Nisqually Sub-Area (how do I know if I'm in the sub-area)?

A map of the Nisqually sub-area can be viewed online at the following web location:

<https://www.thurstoncountywa.gov/planning/Pages/comp-plan-nsq-docs.aspx>

What is asphalt reprocessing and where does it take place?

Asphalt reprocessing is essentially asphalt recycling. Asphalt recycling is the breaking down of materials containing asphalt (i.e. asphalt pavement or asphalt shingles) and the re-use of the asphalt and other materials. The proposed change to Policy E.5 would allow operations to apply (submit a permit application) to recycle asphalt at any asphalt plant or recycling facility located within the mined out portion of a gravel pit. There are multiple methods for recycling asphalt at a facility or an actual construction site. The County is focusing on the methods that could be undertaken within a mined out portion of a gravel pit. For example, when a road is being resurfaced or removed for reconstruction the asphalt pavement is either milled down to remove the surface or it is fully removed and then the Reclaimed Asphalt Pavement (RAP) is transported to a facility for recycling. At the recycling facility the RAP is processed (crushed, screened, and sorted). Once RAP has been processed it can be re-used as aggregate for road base materials or incorporated in hot or cold mix asphalt production processes. See the diagram shown below for an overview of the asphalt pavement recycling process.





INFORMATION SHEET

NOVEMBER 8, 2018

2017/2018 COMPREHENSIVE PLAN AMENDMENT DOCKET ITEM 11: NISQUALLY SUB-AREA PLAN ASPHALT RECYCLING POLICY (POLICY E.5)

What other policies or rules does Thurston County have that apply to asphalt reprocessing (recycling)?

Thurston County has a number of other policies and regulations that apply to asphalt reprocessing (recycling) for the entire County (including the Nisqually Sub-area). For example, Thurston County Zoning Code regulations prohibit the recycling of contaminated asphalt and require asphalt recycling operations to document the source of the asphalt being recycled and provide this information every 6 months. More information regarding individual County policies and regulations can be found online at: <http://www.co.thurston.wa.us/permitting/codes/codes-home.html>

Does the County allow asphalt reprocessing (recycling) outside of the Nisqually Sub-Area?

Yes, asphalt recycling is allowed in Thurston County outside of the Nisqually sub-area on a case-by-case basis. Each permit application received by the County for conducting asphalt recycling activities is reviewed and evaluated for compliance with all of the applicable County policies and regulations that apply to each specific site and operation.

Are there currently any asphalt recycling operations in Thurston County?

Yes, there are currently two asphalt recycling operations in Thurston County. One in the Black Lake area and one within the Nisqually area. The one currently operating within the Nisqually sub-area began operating before the prohibition on asphalt recycling was adopted in 1992, so it is “grandfathered” in as a permitted operation under the older County regulations.

Why was asphalt reprocessing (recycling) prohibited when the Nisqually Sub-Area Plan was adopted?

The current Nisqually Sub-Area Plan policy language states that asphalt reprocessing shall not be allowed due to water quality concerns. These concerns were expressed by community members in 1992 when the sub-area plan was initially developed and adopted. However, a current review of this policy and the concerns noted regarding potential impacts of asphalt recycling on water quality has not been undertaken by the County, until now.

If adopted, would this policy change automatically give companies permission to conduct asphalt recycling activities within the Nisqually Sub-Area?

No, the proposed policy change would NOT automatically grant (guarantee) companies the right to conduct asphalt reprocessing (recycling) on specific sites within the Nisqually Sub-Area. No decision regarding asphalt recycling at specific sites within the sub-area is being made under this project. If the policy change were adopted individual companies could submit permit applications to conduct asphalt recycling on a specific site. Individual land-use permit applications for asphalt reprocessing (recycling) at specific sites would be then be reviewed on a case-by-case basis, just as they are now throughout the rest of Thurston County. All of Thurston County’s existing policies and regulations would apply.

Will the County require an Environmental Impact Statement (EIS) for the proposed policy amendment?

The decision whether or not to require an EIS for the proposed policy amendment has not yet been made. The County is following the required process for the review and consideration of proposed policy amendments. One step in this process is to conduct a State Environmental Protection Act (SEPA) review, make a determination regarding the potential environmental impact of the policy amendment and then provide the public with an opportunity to comment on the determination made. Under the SEPA review process a decision will be made regarding whether an EIS will be required



INFORMATION SHEET

NOVEMBER 8, 2018

2017/2018 COMPREHENSIVE PLAN AMENDMENT DOCKET ITEM 11: NISQUALLY SUB-AREA PLAN ASPHALT RECYCLING POLICY (POLICY E.5)

for this project. Since review has not yet taken place it is not yet known whether an EIS will be required for this project. The SEPA review is scheduled to take place beginning in September. The SEPA information will be provided to the public for review and comment in compliance with County and State policies and regulations.

How will County staff assess how the proposed policy change relates to the environmental health, transportation, economy, rural character, and other elements of the Nisqually sub-area?

County Resource Stewardship Department staff will undertake an analysis of how the proposed policy amendment relates to the economic, rural character and other elements of the sub-area. The County is hiring an independent consulting firm to analyze how the proposed policy amendment would relate to the environmental health (including water quality) and transportation elements of the Nisqually sub-area. Due to the limited nature of the proposed policy change, the analysis will focus on the relationship between asphalt recycling and the environmental health and transportation elements of the Nisqually sub-area and will NOT include analysis of potential impacts or issues related to asphalt plants or gravel mining in general. The public will be given the opportunity to review and comment on the results of the analysis. Feedback received from the public will be taken into consideration by staff, the consulting firm, the Planning Commissioners and the Board of County Commissioners.

How can I get involved, get more information, comment on, and/or provide information to staff relevant to this project?

- 1) You can visit the project website: <https://www.thurstoncountywa.gov/planning/Pages/comp-plan-cp11-home.aspx>.
- 2) You can attend the public info meeting and public hearings (details provided below) for this project, and submitting relevant comments and/or information. There will be two formal public hearings held for this project.
 - a. The first public hearing will be held by the Thurston County Planning Commission, and is tentatively scheduled to take place in November 2017.
 - b. The second public hearing will be held by the Board of County Commissioners, and is tentatively scheduled to take place in March 2018.
- 3) You can provide comments and/or information during the three formal public comment periods. Two of the public comment periods will be associated with the public hearings and the third one will be in relation to the SEPA review determination. Notice regarding public comment periods will be published in the Olympian and an email will go out to all parties who have signed up to the County's Long Range Planning email list.
- 4) If you'd like to receive regular updates about all projects in Community Planning, you can sign up to the County's email list here: https://www.co.thurston.wa.us/planning/contact/constant_contact.html